UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS TYLER DIVISION

Blue Spike, LLC,

Plaintiff,

v.

TEXAS INSTRUMENTS, INC., et al

Defendants.

CASE NO. 6:12-cv-499-MHS-CMC

LEAD CASE

Jury Trial Demanded

UNOPPOSED MOTION FOR EXTENSION OF TIME TO RESPOND TO DEFENDANT AUDIBLE MAGIC CORP.'S MOTION FOR SUMMARY JUDGMENT

Plaintiff Blue Spike, LLC ("Blue Spike") respectfully moves the Court for an extension of time within which to respond to Audible Magic Corp.'s Motion for Summary Judgment (Dkt. No. 1678) ("Motion").

Blue Spike's deadline to file respond to the Motion is August 25, 2014. Blue Spike requests an extension of time until September 2, 2014 to respond to the Motion. Counsel for Blue Spike has conferred with counsel for Defendant, and Defendant is unopposed to this request for extension of time.

Respectfully submitted,

/s/ Randall T. Garteiser Randall T. Garteiser Texas Bar No. 24038912 rgarteiser@ghiplaw.com Christopher A. Honea Texas Bar No. 24059967 chonea@ghiplaw.com Christopher S. Johns Texas Bar No. 24044849 cjohns@ghiplaw.com

Kirk J. Anderson California Bar No. 289043 Peter S. Brasher California Bar No. 283992 **GARTEISER HONEA, P.C.** 218 N. College Ave. Tyler, Texas 75702 Telephone: (903) 705-7420 Facsimile: (888) 908-4400

Counsel for Blue Spike, LLC

Certificate of Service

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Federal Rule of Civil Procedure 5(d) and Local Rule CV-5(d) and (e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by email.

/s/ Randall T. Garteiser